

## DECLARATION AND POWER OF ATTORNEY

I, the below named inventor, hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR DIGITALLY PROVIDING AND DISPLAYING ADVERTISEMENT INFORMATION TO CINEMAS AND THEATRES**, the specification of which is attached hereto. This application claims priority under 35 USC §119(e) from United States Provisional Patent Application Serial No. 60/148,807, filed August 13, 1999.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information that is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby declare that all statements made herein based on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint:

Maurice E. Gauthier	- Reg. No. 20,798
I. Stephen Samuels	- Reg. No. 20,919
Richard L. Stevens	- Reg. No. 24,445
Matthew E. Connors	- Reg. No. 33,298
William E. Hilton	- Reg. No. 35,192
Patrick J. O'Shea	- Reg. No. 35,305
Arlene J. Powers	- Reg. No. 35,985
Steven M. Mills	- Reg. No. 36,610
Anthony P. Onello, Jr.	- Reg. No. 38,572
Richard L. Stevens, Jr.	- Reg. No. 44,357

all of the firm of Samuels, Gauthier & Stevens, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

008270 072800

I request that all correspondence be directed to:

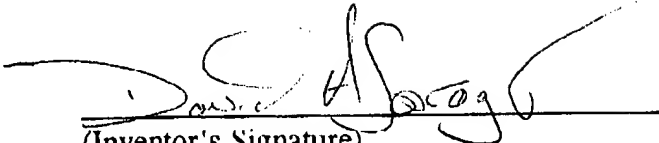
Samuels, Gauthier & Stevens  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110

Attn: William E. Hilton

David H. Sprogis  
(Full Name of Inventor)

7/27/00  
(Date)

\_\_\_\_\_  
(Citizenship)

  
(Inventor's Signature)

34 Chester Street  
Watertown, MA 02472  
(Residence)

Same as Residence  
(Post Office Address)

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### **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

**Serial No.:** Unknown

**Group No.:** Unknown

**Filed:**           herewith

**Examiner:** Unknown

**For: SYSTEM AND METHOD FOR DIGITALLY PROVIDING AND DISPLAYING ADVERTISEMENT INFORMATION TO CINEMAS AND THEATRES**

**Applicant:** Sprogis, David H.

I hereby declare that I am an official of the following small business concern and am empowered to act on its behalf:

**CineCast LLC**  
**1300 Boylston Street**  
**Chestnut Hill, MA 02467**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law to the application filed herewith and claiming priority under 35 U.S.C. § 119(c) to U.S. Patent Application Serial No. 60/148,807 filed August 13, 1999, have been conveyed to, and remain with, the above-identified small business concern.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: David H. Sprogis

TITLE OF PERSON SIGNING: President

ADDRESS OF PERSON SIGNING: 34 Chester Street  
Watertown, MA 02472

SIGNATURE: 

DATE: 7/28/00